

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**John Mark Skladanowski**  
**Elaine Ann Skladanowski**  
Debtor(s)

Bankruptcy Case No.: 17-10166-TPA  
Per May 9, 2017 Proceeding  
Chapter: 13  
Docket No.: 29 - 16  
Concil. Conf.: October 24, 2017 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 22, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 24, 2017 at 10:00 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The monthly payments to Americo Federal Credit Union for the 2015 Mitsubishi Outlander shall be 315.00 per month.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: May 15, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 John Mark Skladanowski  
 Elaine Ann Skladanowski  
 Debtors

Case No. 17-10166-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: vson  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 29

Date Rcvd: May 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 17, 2017.

db/jdb +John Mark Skladanowski, Elaine Ann Skladanowski, 2581 Hillborn Road, Erie, PA 16509-5809  
 14367650 +AES, 1200 North 7th Street, Harrisburg, PA 17102-1419  
 14367652 +Americo Federal Credit Union, 4101 Main Street, Erie, PA 16511-1967  
 14367653 +Associated Clinical Laboratories, PO Box 71312, Philadelphia, PA 19176-1312  
 14367655 ++COLLECTION SERVICE CENTER INC BUTLER PA, PO BOX 1623, BUTLER PA 16003-1623  
 (address filed with court: Collection Service Center, Attn: Collections, Po Box 1623, Butler, PA 16003)  
 14367654 +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
 14367658 +Creditech / Cbalv, Attn: Collections, Po Box 99, Bangor, PA 18013-0099  
 14367659 +Ctech Collection, 5505 Nesconset Highway, Mount Sinai, NY 11766-2037  
 14373844 +Erie County Tax Claim Bureau, 140 West 6th Street, Room 110, Erie, PA 16501-1073  
 14367662 +Medicor Associates Inc, 104 East 2nd Street, 2nd Floor, Erie, PA 16507-1532  
 14398849 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 14373472 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14367664 +Pathology Associates of Erie Inc, 232 West 25th Street, Erie, PA 16544-0002  
 14367665 +Penn Credit Corporation, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108-0988  
 14367667 +Select Portfolio Servicing, Inc, PO Box 65250, Salt Lake City, UT 84165-0250  
 14367669 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472  
 14367670 +UPMC Physician Services, PO Box 382046, Pittsburgh, PA 15250-0001  
 14409313 US DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON, WI 53708-8973  
 14367671 +Us Department Of Education, Great Lakes Higher Education, Attn: Bankruptcy, 2401 International Lane, Madison, WI 53704-3192

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14367651 +E-mail/Text: bkprpt@retrievalmasters.com May 16 2017 00:47:39 AMCA, PO Box 1235, Elmsford, NY 10523-0935  
 14367656 +E-mail/Text: hariasdiaz@creditmanagementcompany.com May 16 2017 00:47:51 Credit Management Company, 2121 Noblestown Road, PO Box 16346, Pittsburgh, PA 15242-0346  
 14367657 +E-mail/PDF: creditonebknotifications@resurgent.com May 16 2017 00:49:14 Credit One Bank Na, Po Box 98873, Las Vegas, NV 89193-8873  
 14367660 +E-mail/Text: bnc-bluestem@quantum3group.com May 16 2017 00:47:55 Fingerhut, 6250 Ridgewood Road, St Cloud, MN 56303-0820  
 14369360 +E-mail/Text: bankruptcy@flagshipcredit.com May 16 2017 00:47:47 Flagship Credit Acceptance, PO BOX 3807, COPPELL TX 75019-4354  
 14367661 +E-mail/Text: bankruptcy@flagshipcredit.com May 16 2017 00:47:47 Flagship Credit Acceptance, Po Box 965, Chadds Ford, PA 19317-0643  
 14380844 E-mail/PDF: cbp@onemainfinancial.com May 16 2017 00:49:14 ONEMAIN FINANCIAL, P.O. BOX 3251, EVANSVILLE, IN 47731-3251  
 14367663 +E-mail/PDF: cbp@onemainfinancial.com May 16 2017 00:49:14 OneMain, Attn: Bankruptcy, 601 NW 2nd Street, Evansville, IN 47708-1013  
 14367666 +E-mail/PDF: RACBANKRUPTCY@BBANDT.COM May 16 2017 00:49:25 Regional Finance Corporation, 550 Ohio Pike, Unit F, Cincinnati, OH 45255-3472  
 14367668 +E-mail/Text: BankruptcyNotice@upmc.edu May 16 2017 00:47:56 UPMC Hamot, 201 State Street, Erie, PA 16550-0001

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr DLJ Mortgage Capital, Inc.  
 cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14373843\* +Associated Clinical Laboratories, PO Box 71312, Philadelphia, PA 19176-1312

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 17, 2017

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: vson  
Form ID: 149

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Total Noticed: 29

Date Rcvd: May 15, 2017

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 15, 2017 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor John Mark Skladanowski dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Joint Debtor Elaine Ann Skladanowski dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor DLJ Mortgage Capital, Inc. bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5